

**FILED
UNDER
SEAL**

Prob12C
D/NV Form
Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Erik Marshall**

Case Number: **2:11CR00235**

Name of Sentencing Judicial Officer: **Honorable Jennifer A. Dorsey**

Date of Original Sentence: **January 23, 2014**

Original Offense: **Transporting Child Pornography, a Class C felony**

Original Sentence: **120 Months prison, lifetime supervised release**

Date Supervision Commenced: **February 13, 2020**

Name of Assigned Judicial Officer: **Honorable Jennifer A. Dorsey**

PETITIONING THE COURT

☒ To issue a warrant.

The probation officer believes the offender has violated the following conditions of supervision:

1. **Sex Offender Treatment** – You shall successfully complete a treatment program for sex offenders, which may include polygraph/truth verification testing, as approved by the probation officer. Further, you shall be required to the costs of services for such treatment, as approved and directed by the probation office based on your ability to pay.

Throughout his sex offender treatment program, Marshall downloaded, possessed, and viewed pornography, to include, anime images depicting females under the age of 18 being sexually abused and assaulted.

2. **Computer Pornography Prohibition** – You shall neither possess nor have under your control any matter that is pornographic, as defined in 18 U.S.C. § 2256(2), or that depicts, suggests, or alludes to sexual activity of minors under the age of eighteen (18). This

RE: Erik Marshall

Prob12C
D/NV Form
Rev. March 2017

includes, but is not limited to, any matter obtained through access to any computer or material linked to computer access or use.

On March 29, 2022, Marshall's computer was forensically examined. Approximately 1,164 images and videos of sexually explicit and/or pornographic content were recovered. There was a significant amount of sexually explicit/pornographic images of anime. Most of the sexually explicit/pornographic images were in containers for the game files of "BefieAde" and "Ark of Artemis." The timestamps on the images and videos range from June 19, 2021 to January 12, 2022.

3. **Pornography Prohibition** – You shall not own, possess, use, view, or read any pornographic material, or frequent any place that is involved with pornography, as defined in 18 U.S.C § 2256(2).

Marshall possessed and viewed, approximately 1,164 pornographic images and/or material since June 19, 2021.

4. **Employment** – You shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons.

As of April 5, 2022, Marshall remains unemployed.

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **April 5, 2022**



Digitally signed by
Landon VanWormer
Date: 2022.04.05
20:28:43 -07'00'

Landon VanWormer
Senior United States Probation Officer

RE: Erik Marshall

Prob12C
D/NV Form
Rev. March 2017

Approved:




Digitally signed by Ben
Johnson
Date: 2022.04.06
15:57:08 -07'00'

Benjamin B. Johnson
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
☒ The issuance of a warrant.
☐ The issuance of a summons.
☐ Other:



Signature of Judicial Officer

4/11/2022

Date

RE: Erik Marshall

Prob12C
D/NV Form
Rev. March 2017

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. ERIK MARSHALL, 2:11CR00235**

**SUMMARY IN SUPPORT OF PETITION FOR WARRANT
April 5, 2022**

For the Court's review, Marshall was sentenced to 120 months custody, followed by lifetime supervised release for the offense of Transporting Child Pornography, a Class C Felony. The instant offense involved Marshall possessing 186 child pornography videos and 42 child pornography images of prepubescent minors and minors who had not attained the age of 12 years, as well as, depictions of adults engaged in sexual penetration of prepubescent minors and images of sadistic and/or masochistic behavior. His term of supervised release commenced on February 13, 2020.

On January 12, 2022, the undersigned officer completed an unannounced home inspection. During this home inspection, Marshall provided verbal consent to search his personal computer. During the search, the undersigned noted a large volume of adult video games downloaded to his computer. The video games contained adult pornographic images. Furthermore, a large number of anime pornographic images and videos were observed with unknown ages of the female anime characters. Lastly, Marshall was chatting with an adult female over a video game messaging application. During their chats, the adult female sent Marshall pictures of her naked breasts and both were engaged in sexually explicit conversation. His computer was sent to a forensic lab for review.

On March 29, 2022, the forensic exam was completed. In conclusion, approximately 1,164 images and video of sexually explicit and/or pornographic content were recovered. Consistent with the cursory search information on January 12, 2022, there was a significant amount of sexually explicit/pornographic images of anime. Most of the sexually explicit/pornographic images were in containers for the game files of "BefieAde" and "Ark of Artemis". Although most of these images did not have dates and time associated with their individual files, all the images were in containers for the associated game folders with valid dates/timestamps. The timestamps range from June 19, 2021 to January 12, 2022.

Marshall resides with his mother and stepfather in Las Vegas. He is currently unemployed. He attends sex offender treatment with Evergreen Counseling. In discussion with his therapist, his progress has been minimal for the past 16 months. This information has been shared with his sex offender therapist, who will address and process the behavior in group and individual counseling sessions.

RE: Erik Marshall

Prob12C
D/NV Form
Rev. March 2017

Much like the instant offense, Marshall continues to collect, view, and possess pornography to include anime pornography. The pornographic images depict minors who have not yet attained the age of 18, as well as, depictions of adults engaged in sexual penetration to include sadistic and/or masochistic behavior. He continues to engage in high risk and not abide by his sex offender treatment plan. Given the severity and magnitude of violation behavior, it is respectfully recommended a warrant be issued to initiate revocation proceedings.

Respectfully submitted,



Digitally signed by
Landon VanWormer
Date: 2022.04.05
20:29:25 -07'00'

Landon VanWormer
Senior United States Probation Officer

Approved:



Digitally signed by Ben
Johnson
Date: 2022.04.06 15:58:45
-07'00'

Benjamin B. Johnson
Supervisory United States Probation Officer